



FAIR POLITICAL PRACTICES COMMISSION

428 J Street • Suite 620 • Sacramento, CA 95814-2329

(916) 322-5660 • Fax (916) 322-0886

July 21, 2010

Mr. Tomas Fuller

REDACTED

Re: **Warning Letter Re: FPPC No. 09/300; Tomas Fuller**

Dear Mr. Fuller:

The Fair Political Practices Commission ("FPPC") enforces the provisions of the Political Reform Act ("Act"),<sup>1</sup> found in Government Code section 81000, et seq. This letter is in response to a complaint filed against you by your filing officer that alleged you have failed to file a Major Donor Campaign Statement, Form 461, for the period covering the 2009 year.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that you failed to file a campaign disclosure statement by the February 2, 2009<sup>2</sup> deadline.

The Act provides that elected officers, candidates, and committees shall file semiannual statements. (Section 84200.) A "major donor committee" is anyone who contributes a combined total of \$10,000 or more to a campaign(s) during a calendar year. (Section 82013(c).) Major Donors who contribute to state committees are required to file a major donor campaign statement form with the California Secretary of State's office along with other local offices by July 31, 2008, for contributions made during the first half of the year (January 1, 2008, through June 30, 2008), and by January 31, 2009 for contributions made during the second half of the year (July 1, 2008 through December 31, 2009).

---

<sup>1</sup> The Political Reform Act is contained in Government Code sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in sections 18110 through 18997 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

<sup>2</sup> When a deadline falls on a Saturday, Sunday or official State holiday, the deadline is moved to the next regular business day. (Regulation 18116.) January 31, 2009, was a Saturday.

Mr. Tomas Fuller  
July 21, 2010  
Page 2

Your actions violated the Act because you failed to file the campaign statement by the specified deadline. **You must immediately file this campaign statement with the California Secretary of State's office and provide a copy to the Los Angeles County Registrar Recorder/County Clerk's office.** However, since you do not have a history of violating the Act, we have decided to close our file on this matter with a warning letter.

This letter serves as a written warning. The information in this matter will be retained and may be considered should an enforcement action become necessary based on newly discovered information or future conduct. Failure to comply with the provisions of the Act in the future will result in monetary penalties of up to \$5,000 for each violation.

A warning letter is an FPPC case resolution without administrative prosecution or fine. However, the warning letter resolution does not provide you with the opportunity for a probable cause hearing or hearing before an Administrative Law Judge or the Fair Political Practices Commission. If you wish to avail yourself of these proceedings by requesting that your case proceed with prosecution rather than a warning, please notify us within ten (10) days from the date of this letter. Upon this notification, the FPPC will rescind this warning letter and proceed with administrative prosecution of this case. If we do not receive such notification, this warning letter will be posted on the FPPC's website ten (10) days from the date of this letter.

Although the FPPC is not seeking a penalty in the current matter, you are still responsible for any late filing fees assessed by your filing officer. (Section 91013.)

The FPPC publishes forms and manuals to facilitate compliance with the provisions of the Act. If you need forms or a manual, or guidance regarding your obligations, please call the FPPC's Technical Assistance Division at 1-866-275-3772. Please also visit our website at [www.fppc.ca.gov](http://www.fppc.ca.gov).

Please feel free to contact Teri Rindahl at (916) 327-2018 with any questions you may have regarding this letter.

Sincerely,

REDACTED

Gary S. Winuk  
Chief, Enforcement Division

GSW:tr

cc: Los Angeles County Registrar Recorder/County Clerk's office